CF 1006 (3) (4)

IN THE HON'BLE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 686 OF 2004

PETITIONER : Smt. Chanda Sahu, wife of Shri U.S. Sahu, aged about 52 years, resident of Raja Talab, Raipur, District Raipur (C.G.).

VERSUS

RESPONDENTS :

1. State of Chhattisgarh Thrgugh- Secretary, Women and Child Development Department D.K.S. Bhawan Raipur.

2. Deputy Director (Establishment) Women and Child Development, Raipur (C.G.).

3. Project Officer Unified Child Development Project Tilda, District Raipur (C.G.).

PETITION UNDER ARTICLE 226 OF CONSTITUTION OF INDIA.

Details of the petition :-

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(168)

आदेश पत्रक

मामला क्रमांक W.P. No. 686 सन् 2004

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

19.9.2006

Shri Ratan Pushty, counsel for the petitioner.

Shri Sandeep Yadav, Deputy Govt. Advocate for the State/ respondents.

Heard finally with the consent of the parties.

Order passed as follows:

ORAL ORDER

By way of this petition, the petition has mainly prayed for the relief for carrying out her order of transfer dated 17.2.2004 contained in Annexure P-1.

A perusal of Annexure P-1 would show that the petitioner, who was working as Parivekshak in Ekikrit Bal Vikas Pariyojna, Tilda, Distt. Raipur was transferred from there to Bal Sanrakshan Grih, Mana, Distt. Raipur The pleadings of the petition would show that the petitioner was transferred by the said order on 17.2.2004, but she was not being relieved by the local authorities of Tilda for which she had to file the instant petition on 29.2.2004.

Learned counsel for the petitioner makes this statement that after filing this writ petitioner, the petitioner was relieved from Tilda, therefore, her main grievance raised in the petition is redressed. Learned counsel further submits that her other grievance was that the salary for the month of July 2003 and October 2003 till the date of filing of the writ petition and further thereafter also, has not been paid to her. The reply of the writ petition would show that certain grounds have been taken by the

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आदेश पत्रक

मामला क्रमांक W.P. 686/ **सन्** 04 **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित 2	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

State, on which, the salary was not paid to the petitioner. These grounds are specifically mentioned vide para 12 of the reply filed by the State/respondents.

Learned State Counsel submits that the salary of the month of July has been paid, however, salary from October, 2003 onwards was not paid to the petitioner as the petitioner did not fulfill the target given to her despite of so many reminders and she almost always remained absent without any prior permission or without any sanctioned leave from the office. This has been disputed by learned counsel for the petitioner.

This is a factual aspect of the matter, for which, without going into the merits of the matter, I deem it proper that let the petitioner file a detailed representation before the concerned authority claiming her salary for the period for which she has not been paid and let the concerned authority take decision on the representation filed by the petitioner at the earliest applying the relevant rules for payment of salary in case of the Government servant like the petitioner, by passing a reasoned order on the grounds as to why the petitioner will not be entitled to get the salary of the period in question.

If such a representation is filed by the petitioner within a period of 21 days from today, the same shall be disposed of by the concerned authorities within a further period of two months from the date of receipt of the said representation. It is made clear that this Court has not expressed any opinion on the merits of the case

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आदेश पत्रक

मामला क्रमांक WP-686/04 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Rao	of the petitioner and the authorities are free to take the decision on the representation in accordance with the rules prevailing in the department. The petition stands finally disposed of. Accordingly, I.A.No.5240/2004 for urgent hearing also stands disposed of. C.C. as per rules. **Sd/-** **Sunil Kumar Sinha** **Judge**	